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To the Federal Communications Commission
Washington, DC 20554

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In the matter of)
)
A Request for a Rule Making to make certain)
changes in Part 97 of the Commission's Rules)
related to the licensing, examination structure,)
and frequency allocations in the Amateur)
Radio Service.)

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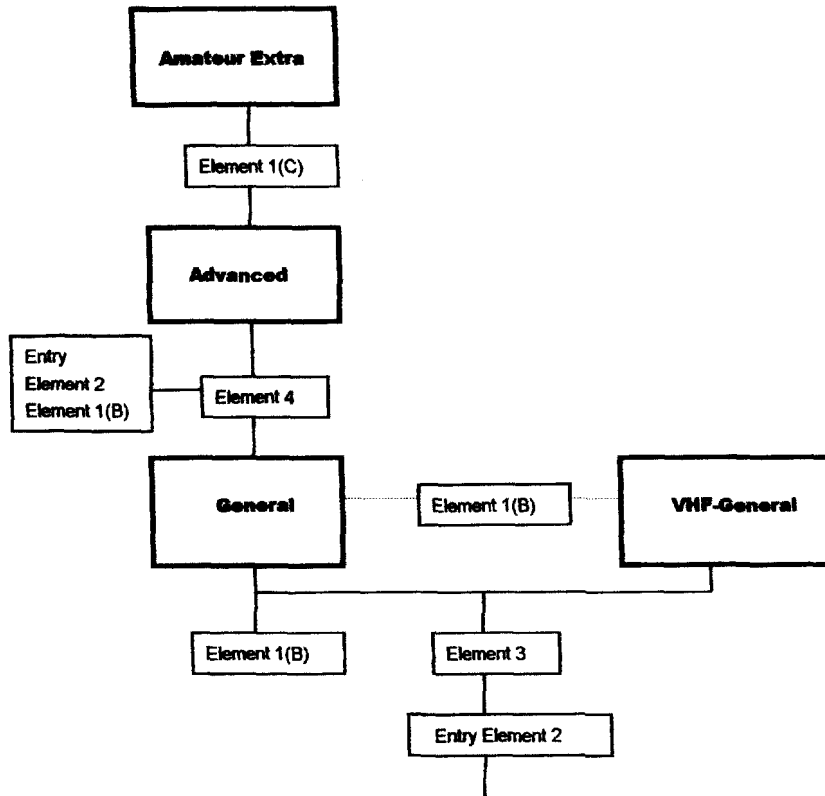
Introduction: The current incentive license structure has been in use for 30 years and it has been successful in meeting the objectives defined when the Report and Order for Docket #15928 was released. However, the environment that the service operates has changed, so the examination and licensing process needs to be updated and simplified. Currently, the process forces people to take up to five written exams and at least one and possibly up to three code exams. It diminishes the value of the Technician license by treating it as a beginners license, it encourages people to move from VHF/UHF /SHF to HF at a time when the service needs to populate these bands, and the multiplicity of exam elements is expensive to deliver, maintain, and administer. I am respectfully submitting this Request for a Rule Making to address these concerns.

Proposed Changes: I am petitioning that the following changes be made to Part 97 of the Commission's Rules.

I. Change section 97.9 and all related sections so that:

- A. The issuance of new Novice licenses would be discontinued. Existing licenses remain in effect for the duration of the license term.
- B. The issuance of new Technician Plus licenses would be discontinued. Technicians Plus licenses will remain in effect for the duration of the license term.
- C. The Technician license is re-named the "VHF-General" license. Current Technicians will be renewed as VHF-General Class Operators.

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II. I am requesting that the Commission consider the following changes to the sections of 97.5 described below as well as all related sections:

A. Section 97.501 as follows:

1. Amateur Extra Class Operator: Elements 1(C), 2, 4
2. Advanced Class Operator: Elements 1(B), 2, 4
3. General Class Operator: Elements 1(B), 2, 3
4. VHF-General Class Operator: Elements 2, 3
5. Technician Plus Operator: Discontinued. Current licensees pass element 1(B) to move to General class operator before expiration of current license or renew as VHF-General class operator.
6. Novice Class Operator: Discontinued. Current licensees upgrade to VHF-General, General, or Advanced Operator.

B. Section 97.503(a) to:

1. Discontinue Element 1(A)
2. Change Element 1(B) to a 10 words per minute content based International Morse Code receiving test.

C. Section 97.503(b) to:

1. Modify Element 2 as follows—"25 questions concerning basic rules, operating procedures and practices of the Amateur Radio Service."
2. Merge Elements 3(A) and 3(B) into a single 55-question exam. Sixty percent of the test contents for the new Element 3 would be drawn from the question pool of element 3(B).
3. Merge Elements 4(A) and 4(B) into a single 80-question exam. Sixty percent of the test contents for the new Element 4 would be drawn from the question pool of element 4(B).

D. Section 97.503(c) as follows:

Topics	Elements		
	2	3	4
1. FCC rules for the amateur radio service	10	12	12
2. Amateur station operating procedures	5	6	6
3. Radio wave propagation characteristics of amateur service frequency bands	2	5	5
4. Amateur radio practices	5	8	8
5. Electrical principles as applied to amateur station equipment	0	3	12
6. Amateur station equipment circuit components	0	5	8
7. Practical circuits employed in amateur station equipment	0	2	10
8. Signals and emissions transmitted by amateur station equipment	3	3	7
9. Amateur station antennas and feed lines	0	6	7
10. Radiofrequency environmental safety practices at an amateur station	0	5	5

III. I am requesting that the Commission consider the following changes in Frequency Privileges:

A. Section 97.301 as follows (Region 2 only unless specified otherwise. Frequency in Mhz):

97.301(b) Amateur Extra 80 m: 3.50-3.70 75 m: 3.70-4.00	97.301(c) Advanced: 80 m: 3.525-3.70 75 m: 3.70-4.00 20 m: 14.025-14.350 15 m: 21.025-21.450
97.301(d) General: 80 m: 3.525-3.70 75 m: 3.825-4.0 40 m: 7.20-7.300	97.301(e) Novice/Technician Plus: 80 m: 3.650-3.700 40 m: 7.025-7.075 (All Regions)

B. Section 97.305 as follows:

40 m: 7.000-7.075 RTTY, data

40 m: 7.075-7.300 Phone, image (1), and (2)

IV. I am requesting that the Commission consider the following changes to 97.313(c):

No station may transmit with a transmitter power exceeding 200 W PEP on 10.10-10.15 Mhz.

Stations operated by Novice and Technician Plus licensees may not transmit with a transmitter power exceeding 200 W PEP on 3.65-3.700 Mhz, 7.025-7.075 Mhz, 21.10-21.20, and 28.1-28.5 Mhz.

V. Sunset Clause.

It is respectfully suggested that a "Sunset Clause" be written into the rules, so that all rules pertaining to the Novice and the Technician Plus class licenses will be removed from Part 97 on the tenth anniversary after the release of this rule making by the commission.

Changes in Licensing and Examinations

1. The current license structure was created at a time when amateur radio had little competition for the technically inclined person's interest, time and resources. It offered a unique opportunity for these people to learn and experiment with the technology to communicate by radio. Amateur radio today has to compete with people's time and resources more so than ever before. The technically inclined individual has more choices in which to satisfy his/her curiosity. Children are exposed to the Internet in elementary school. People are setting up and running bulletin boards, Internet connection services, and developing software for personal computers. All this without any testing or licensing requirements. They are more discerning about how to spend their valuable free time and their discretionary income. Amateur radio is still an attractive use of technology and people are willing to invest the time to learn the material needed to participate and be tested, if is convenient and relevant to what they want to accomplish in pursuing the hobby. However, if the process seems unnecessarily complex or appears irrelevant to their goals, they will not participate. There are simply other ways to communicate. To make the tests more relevant and to eliminate the perceptions that an applicant is just "jumping through hoops" to get a desired license, I am requesting that the Commission consider the idea that the licensing process have many points of entry for the newcomer and there should be no prerequisites to qualify for the desired test other than passing a basic entry level element. The effect would be that the current practice of requiring an applicant

to pass lower grade elements to qualify for a test above General or Technician would be discontinued. I recommend an entry-level element (a modified Element 2), be required to be passed from whatever entry point is selected. Licensing would be targeted so that a newcomer can get a specific license based on the their interest in the hobby or (s)he can track up to Amateur Extra using the traditional upgrade path. The number of elements tested and the number of applications for upgrades will be reduced because there is now an incentive to study and train for a specific license, and it is less likely that an applicant will use lower grade licenses as transition licenses.

2. The next recommendation in this simplification proposal is to merge Elements 3(A) and 3(B) and 4(A) and 4(B) into single examination elements. In the case of the tests in Element 3, the objective is to equalize the testing of skill and knowledge between the General and the "VHF only" class applicant, reduce the number of tests given and the number of applications filed. In fact, this recommendation just returns to the testing standard used by the Commission until a few years ago. It makes no sense that a license that permits full amateur privileges in a very large block of spectrum and permits a wide range of modes and communication methods be based on a simplified general operating examination. The current practice de-values the VHF only license and it promotes the perception that some how this licensee is "less of a ham" because (s)he took a simpler written test without a code test. The new Element 3 would be a 55-question examination created from the existing question pools. It is suggested that a least 60 percent of the questions be drawn from the current Element 3(B) pool.
3. For element 4, this test would consist of 80 questions made up from the existing question pools for Elements 4(A) and 4(B). It is suggested that at least 60 per cent of the questions be drawn from the current Element 4(B) pool. The purpose here is to not only qualify the Advanced licensee for advanced phone privileges but to qualify the individual for the Amateur Extra license with a single written examination. It relieves the applicant of the burden of preparing for two examinations, the VEC to prepare two question pools and deliver two exams with a similar level of content.
4. I am requesting that the Technician License be re-named VHF-General Class. This new name recognizes the fact that licensees are communicators as well as experimenters with full amateur privileges above 50 Mhz. The name "Technician" was selected for the VHF only license when the license was created in 1951 because the objective was to promote experimentation on the VHF/UHF bands. However, it has always been treated as a

transition license. Licensees were encouraged to "upgrade" to General or higher and use HF. Over the years VHF privileges were expanded and Novice HF privileges were added, because it was the second step in the five-step process to Amateur Extra. In 1991, it became an entry-level license when the code requirement was dropped and the written examination became a different test from the General. Amateur literature (and the Commission's Web page, for example) refer to "beginning your Amateur career as a Technician and then moving up to a "higher" class of license." I am suggesting a change in the existing paradigm by changing the VHF license from a transitional license to one that can stand alone on its merits. The name change and the change in the examination as described above accomplish this. This writer strongly believes that our ability to fulfill the mandate of 91.1(b) and (d) of the rules is dependent on our ability to populate these bands. Providing a real or perceived incentive to move to HF as the current rules do runs counter to this goal.

5. This Request for a Rule Making further simplifies the license structure by reducing the number of license classes from six to four by discontinuing the issuance of new Novice and Technician Plus licenses and the discontinuance of testing for Element 1(A). In its release of the Report and Order for PR Docket 90-55, the Commission stated that it "wanted to discontinue the Novice license and grandfather existing licensees." It also quoted the ARRL and others that to discontinue the Novice "would stifle a large percentage of newcomers to the service." Time has shown that the Commission was correct in assuming that the Technician Class would become the main point of entry for the service. Since the inception of the code free Technician class, the interest in the Novice class has dropped off precipitously. For example, the ARRL discontinued their contest for Novice/Technician Plus operators in 1995 due to lack of interest. In addition, there have been reports in the Amateur press that Novice class operators have a very high dropout rate with significant numbers inactive. Clearly, this license class has served the Amateur community well for over 40 years, but is a victim of the changing times and needs of the newcomer. Continuing it creates a burden on the VECs who have to administer the examination program with diminishing returns, and for the commission that has to expend resources to support it.
6. I am also proposing the Technician Plus license be discontinued because if the interests of a VHF-General change,(s)he should be able to earn General class privileges simply by passing Element 1(B). Current Technician Plus licensees would be able to upgrade to General by simply passing Element 1(B). It is recognized that current Technician Plus amateurs have only taken Element 3(A), but these licensees should be

given credit for the experience gained by operating under their license and should not be burdened by having to take another written exam. Also, the VE program should not be forced to re-test these individuals, and the Commission should not be required to administer special rules and frequency segments for a VHF-General on the HF bands. It is suggested that it is simply cleaner and more efficient to give this licensee General class privileges after passing Element 1(B). As an alternative, if an individual elects not to take the Element 1(B) examination, (s)he may simply renew as a VHF-General.

7. Concerning the suggested changes to 97.503(c), Element 2 is recommended to be a required entry-level test. It emphasizes testing the applicant on the rules, operating procedures and practices, and minimizes the testing of technical knowledge. Element 3 has a general distribution of all topics with an emphasis on operating practices procedures and regulations. Element 4 still has a significant emphasis on the testing of technical topics and includes testing on RF environmental safety. When the new environmental safety rules were added to Part 97, it was the Commission's intent for current licensees to be tested on this important topic as they upgraded, so it needs to be included in the proposed Element 4.
8. Administratively, when incentive licensing was implemented, it was recognized that it would be an expensive process because it meant many more tests had to be offered by the Commission, but the government collected license fees at that time, so the cost could be justified. The Commission no longer collects license fees for routine license applications, but the program is still expensive to operate. The following information was provided to me by the ARRL:
 - Applicants who use the ARRL VEC pay about \$275,000 in fees annually.
 - It costs the ARRL VEC about \$400,000 to operate the VE program annually.
 - It is estimated that at least 1,000 volunteer hours were expended by the QCP to update the Novice/Technician exam pool. By projection, I believe that it is safe to assume that each of the other question pool updates require a least as many if not more volunteer hours to update.
 - The Commission could not provide me with specific information, but it is reported that it costs them \$8 to process a 610 form. If the 135,906 elements tested in 1996 resulted in 45,302 new or upgrade 610

applications presented for processing, that means that it cost the Commission \$241,007 to administer the examination process under the current licensing program in 1996.

9. Even without the examination and administrative expense information from the other 15 VECs included here, it is clear that this is a very expensive program operate and administer and if for no other reason, should be simplified to save money.

Code Testing

10. I have suggested that testing on Element 1(A) be discontinued when new Novice and Technician Plus licenses are discontinued because it would be no longer needed. Element 1(C) would not be changed. Element 1(B) would become a 10 wpm code receiving test. The Commission is required to confirm that an applicant for a license with privileges below 30 Mhz can copy by ear International Morse Code. Copying speed is not mandated. Therefore, it is appropriate to create a code test that an applicant can practice for with a reasonable chance for success. The problem for most people practicing for the current 13 wpm examination is that at some point in the process (around 11-12 wpm), the individual "hits a wall", where his/her copying speed plateaus until the individual can learn to hear the letter tones as a block rather than as individual dits and dahs. For some, this is a difficult plateau to overcome, especially if (s)he is not interested in using code after licensure. Therefore, a code speed of 10 wpm should not present a significant impediment to HF licensure.
11. As this basic Morse exam that brings the US into compliance with the international regulations, Element 1(B) would become the gateway to the HF bands. No additional code tests should be needed to qualify an individual to operate HF phone.
12. Like a driving test where the written test might ask questions about driving on ice, the practical driving test does not test for this specialized kind of driving; this basic code test should confirm that the candidate can copy the code and extract the meaning of the message. Higher speed proficiency, as with driving on ice, will come with practice and there is no public interest or necessity served by requiring an individual to prove this increased proficiency through testing. Element 1(C) is an optional examination in that an individual can elect to take to become an Amateur Extra class operator.

Changes in Frequency Privileges

13. I respectfully request that the Advanced Licensee receive full access to all HF phone bands. I have made this recommendation because I see no advantage to the public interest or to amateur radio to require passage of a high-speed code test to have access to all available HF phone segments. Element 4 should be a sufficient test of the advanced skill and knowledge required qualifying an applicant for access to these segments. There is substantially no change for the Amateur Extra in the process of obtaining the operator license.
14. To add value to the Advanced and Extra class licenses, I am requesting that the 75 meter and 40-meter phone bands be expanded for these license classes. In both cases, but especially on 40 meters, the proposed expansion will allow these licensees to more effectively communicate internationally. The mainland US amateur has never had a phone allocation in the Region 1 and 3 40-meter phone segment. The reason for this is partly due to the location of the Novice segment of the band and the perception by some in the amateur community that the US needs a 150 kHz exclusive CW segment on 40 meters. I strongly disagree with that perception. There are thousands of amateurs in Regions 1 and 3 as well as in our own Region 2 that have an exclusive CW/digital band as small as 25 kHz and others have a band only 40 kHz wide. I feel that under these circumstances, a US exclusive allocation for CW/digital modes of 75 kHz on this band is quite fair. Finally, this request causes the General to lose access to 50 kHz on 80 Meters. I have compensated for this by suggesting that their 75 meter and 40 meter allocations be expanded by 25 kHz each.
15. To accommodate these requested changes, I am requesting that the Novice/Technician Plus segments on 80 and 40 meters be moved and that stations operated by General class and higher operators be permitted to run up to full legal power in the Novice segments. If the suggested change in the Novice and Technician Plus is implemented and with the concurrent decreasing interest by Novices that I documented above; the impact on other users will be minimal and will decrease as Novices and Technician Plus licensees upgrade. The change in the power regulations is recommended to minimize the effect of the frequency change on the operations higher-grade licensees. For those Novice and Technician Plus licensees that are active and use these bands, the change will be quite positive. They will be mainstreamed into regular amateur CW operations. On 40 they may work some DX, participate in DX contests on this band, and communicate with higher grade licensees without having to deal with SW broadcast interference. On 80 they will have additional access to higher-grade licensees and the public service activities that occur on this band.

Conclusion

16. I am respectfully requesting that the Commission consider this Request of Rule Making as a solution to streamline the examination process. Its intent is to reduce the number of tests delivered by decreasing the number of exam elements and license classes, and creating three convenient entry points that the newcomer can choose from based on his/her interest in the hobby. It puts the code examination process in proper perspective in relation to other modes and returns to a basic code test that was successfully used in the amateur service until the late 1940's. It maintains the essentials of HF incentive licensing, and adds an essential incentive for people to select the VHF+ bands as a place to operate and experiment. Finally, it will reduce the financial burden of the exam process on applicants, VECs, and the Commission.

Respectfully Submitted,



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About the Author: I have been a licensed Amateur since 1975 and an Amateur Extra Class operator since 1978.

My major amateur radio interests are CW DXing and contesting. I am a life member of the ARRL and a member of the Yankee Clipper Contest Club. From the ARRL I have earned the Worked All States award (CW endorsement) DXCC CW and achieved Honor Roll status, as well as the 5 band DXCC award. From CQ Magazine, I have earned their WAZ CW award and their 5-band WAZ certificate. I also use VHF packet.

Professionally, I am an Instructional Designer for a worldwide manufacturer of Anesthesia monitors, anesthesia machines, and information management systems. As an Instructional Designer, my responsibilities include identifying blocks to successful human performance and to design solutions to eliminate or minimize these blocks. The solutions may include modifying processes and procedures, recommending policy changes, or develop training solutions. Whatever solution is used, methods of measurement and feedback are critical in determining that the solution has improved performance.